

HOUSE BILL 980

C7

0lr2148

By: **Harford County Delegation**

Introduced and read first time: February 12, 2010

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Harford County – Casino Events**

3 FOR the purpose of creating in Harford County a permit that authorizes certain
4 nonprofit organizations to conduct a casino event; specifying certain standards
5 and requirements that organizations must meet to be issued a permit;
6 specifying a certain maximum number of events an organization may hold in a
7 year and the location and hours for conducting a casino event; authorizing
8 certain games to be conducted at a casino event under certain circumstances;
9 specifying the maximum bet a single individual may place on a game; specifying
10 that alcoholic beverages may be served or sold under certain conditions;
11 prohibiting profits or proceeds from being paid to certain persons or after
12 certain costs are deducted for purposes other than the purposes of the
13 organization; requiring the holder of a permit to meet certain financial
14 reporting requirements; authorizing the Sheriff of Harford County to refuse to
15 issue a permit under certain conditions; requiring the Sheriff to adopt certain
16 regulations; providing a certain penalty; defining a certain term; and generally
17 relating to casino nights in Harford County.

18 BY renumbering

19 Article – Criminal Law

20 Section 13–1512

21 to be Section 13–1513

22 Annotated Code of Maryland

23 (2002 Volume and 2009 Supplement)

24 BY adding to

25 Article – Criminal Law

26 Section 13–1512

27 Annotated Code of Maryland

28 (2002 Volume and 2009 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That Section(s) 13–1512 of Article – Criminal Law of the Annotated
3 Code of Maryland be renumbered to be Section(s) 13–1513.

4 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
5 read as follows:

6 **Article – Criminal Law**

7 **13–1512.**

8 (A) IN THIS SECTION, “CASINO EVENT” MEANS AN EVENT THAT
9 INVOLVES A CARD GAME, DICE GAME, ROULETTE, OR FILMS OR VIDEO
10 RECORDINGS OF HORSE RACES.

11 (B) AN ORGANIZATION SHALL BE ISSUED A PERMIT FROM THE SHERIFF
12 BEFORE THE ORGANIZATION MAY CONDUCT A CASINO EVENT.

13 (C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
14 SUBSECTION, AN ORGANIZATION IS ELIGIBLE TO BE ISSUED A PERMIT IF:

15 (I) THE ORGANIZATION QUALIFIES AS A NONPROFIT
16 ORGANIZATION UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE, HAS
17 BEEN LOCATED IN THE COUNTY FOR AT LEAST 1 YEAR BEFORE APPLYING FOR
18 THE PERMIT, AND IS A BONA FIDE:

19 1. STATE-CHARTERED VETERANS ORGANIZATION
20 THAT IS AUTHORIZED BY A NATIONALLY CHARTERED VETERANS ORGANIZATION;

21 2. TAX-SUPPORTED VOLUNTEER FIRE COMPANY; OR

22 3. ORGANIZATION THAT INTENDS TO RAISE MONEY
23 FOR AN EXCLUSIVELY CHARITABLE, AMATEUR ATHLETIC, OR EDUCATIONAL
24 PURPOSE SPECIFICALLY DESCRIBED IN THE PERMIT APPLICATION; OR

25 (II) THE ORGANIZATION IS A NONPROFIT RELIGIOUS GROUP
26 THAT HAS CONDUCTED RELIGIOUS SERVICES AT A FIXED LOCATION IN THE
27 COUNTY FOR AT LEAST 3 YEARS BEFORE APPLYING FOR THE PERMIT.

28 (2) A COLLEGE OR HIGH SCHOOL FRATERNITY OR SORORITY OR
29 ANY OTHER ORGANIZATION WHOSE MEMBERSHIP IS RESTRICTED LARGELY TO
30 STUDENTS OR GRADUATES OF AN EDUCATIONAL INSTITUTION OR
31 PROFESSIONAL SCHOOL DOES NOT QUALIFY FOR A PERMIT.

32 (D) TO BE ISSUED A PERMIT, AN ORGANIZATION SHALL:

1 **(1) SUBMIT AN APPLICATION TO THE SHERIFF OF THE COUNTY**
2 **ON A FORM THAT THE SHERIFF REQUIRES;**

3 **(2) STATE ON THE APPLICATION FORM THE PURPOSE FOR WHICH**
4 **THE PROCEEDS OF THE CASINO EVENT WILL BE USED; AND**

5 **(3) PAY THE PERMIT FEE THAT THE SHERIFF DETERMINES.**

6 **(E) (1) (I) A HOLDER OF A PERMIT MAY CONDUCT NOT MORE THAN**
7 **FOUR CASINO EVENTS IN A CALENDAR YEAR.**

8 **(II) A PERMIT IS NOT TRANSFERABLE.**

9 **(2) A CASINO EVENT MAY BE HELD ONLY:**

10 **(I) BETWEEN 4 P.M. TO 1 A.M.; AND**

11 **(II) IN A STRUCTURE OR AT A LOCATION THAT IS OWNED,**
12 **LEASED, OR OCCUPIED BY THE HOLDER OF THE PERMIT.**

13 **(3) A SEPARATE PERMIT IS REQUIRED FOR EACH CASINO EVENT.**

14 **(4) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,**
15 **BINGO, INSTANT BINGO, A RAFFLE, A PADDLE WHEEL, OR A 50/50 RAFFLE MAY**
16 **BE INCLUDED IN THE GAMES CONDUCTED AT A CASINO EVENT.**

17 **(II) A CASINO EVENT MAY NOT CONSIST EXCLUSIVELY OF**
18 **ONLY A GAME SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH.**

19 **(F) (1) THE MAXIMUM BET A SINGLE INDIVIDUAL MAY PLACE ON ANY**
20 **GAME CONDUCTED DURING A CASINO EVENT IS \$10.**

21 **(2) A HOLDER OF A PERMIT MAY SERVE OR SELL ALCOHOLIC**
22 **BEVERAGES AT A CASINO EVENT ONLY IF THE HOLDER IS ISSUED THE PROPER**
23 **LICENSE BY THE BOARD OF LICENSE COMMISSIONERS FOR HARFORD COUNTY.**

24 **(3) THE HOLDER OF A PERMIT MAY AWARD PRIZES OF MONEY OR**
25 **MERCHANDISE.**

26 **(G) AN ORGANIZATION MAY RENT OR PURCHASE NECESSARY**
27 **EQUIPMENT AND SUPPLIES TO CONDUCT A CASINO EVENT BUT MAY NOT ENTER**
28 **INTO A LEASE OR OTHER AGREEMENT TO SHARE PROFITS FROM THE CASINO**
29 **EVENT.**

1 **(H) (1) A CASINO EVENT SHALL BE MANAGED AND OPERATED**
2 **PERSONALLY BY MEMBERS OF THE ORGANIZATION CONDUCTING THE EVENT**
3 **WITHOUT THE ASSISTANCE OF ANY OUTSIDE WORKER, INCLUDING A PAID OR**
4 **PROFESSIONAL CASINO OPERATOR, MANAGER, OR SUPPLIER OF EQUIPMENT.**

5 **(2) A MEMBER OF THE ORGANIZATION MAY NOT RECEIVE OR BE**
6 **PAID ANY OF THE PROCEEDS FROM THE CASINO EVENT FOR PERSONAL USE OR**
7 **BENEFIT.**

8 **(3) A PERSON MAY NOT RECEIVE A SALARY, COMMISSION, OR**
9 **COMPENSATION OF ANY KIND FOR MANAGING THE CASINO EVENT OR**
10 **OPERATING A GAME PLAYED IN THE CASINO EVENT.**

11 **(4) A PERSON OTHER THAN THE HOLDER OF THE PERMIT MAY**
12 **NOT RECEIVE OR BE PAID ANY PROCEEDS.**

13 **(I) AFTER COSTS INCURRED IN CONDUCTING A CASINO EVENT ARE**
14 **DEDUCTED, PROCEEDS FROM A CASINO EVENT MAY BE USED ONLY FOR THE**
15 **PURPOSES OF THE ORGANIZATION.**

16 **(J) (1) WITHIN 30 DAYS AFTER A CASINO EVENT, THE HOLDER OF**
17 **THE PERMIT SHALL SUBMIT TO THE SHERIFF A FINANCIAL REPORT THAT LISTS**
18 **ALL OF THE RECEIPTS AND EXPENDITURES FOR THE EVENT.**

19 **(2) THE REPORT SHALL CONTAIN A FULL ACCOUNTING OF THE**
20 **PROCEEDS AND EXPENSES OF THE EVENT.**

21 **(3) THE SHERIFF OR THE OFFICE OF THE STATE'S ATTORNEY**
22 **MAY REQUIRE THE HOLDER OF THE PERMIT TO PRODUCE ALL FINANCIAL**
23 **RECORDS OF THE EVENT.**

24 **(4) THE HOLDER OF THE PERMIT SHALL KEEP ALL FINANCIAL**
25 **RECORDS OF THE CASINO EVENT FOR AT LEAST 2 YEARS AFTER THE CASINO**
26 **EVENT.**

27 **(5) THE SHERIFF MAY REFUSE TO ISSUE A PERMIT TO AN**
28 **APPLICANT WHO HAS FAILED TO FILE A REQUIRED REPORT FROM A PREVIOUS**
29 **EVENT OR IS LATE IN FILING FEDERAL OR STATE TAX REPORTS.**

30 **(K) THE SHERIFF SHALL ADOPT REGULATIONS TO CARRY OUT THIS**
31 **SECTION.**

1 (L) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A
2 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT
3 EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$1,000 OR BOTH.

4 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 July 1, 2010.